

REMARKS

In the above referenced Office Action, the Examiner divided the claims into the following groups:

Group I, Claims 1-5, drawn to a receiver, classified in class 600, subclass 409;

Group II, Claims 6-13, and 16, drawn to a system for locating a marker, classified in class 600, subclass 424; and

Group III, Claims 14-15, drawn to methods of treating a patient with radiation, classified in class 600, subclass 424.

In response, the applicants elect Group II, claims 6-13 and 16, without traverse. Non-elected claims 1-5 and 14-15 have been cancelled without prejudice to pursuing these claims upon an indication of a generic allowable claim, and without prejudice to pursuing these claims in a continuation, divisional or other application in unamended or other forms.

Upon allowance of the generic claims, applicants request consideration of claims to additional species which are written in dependent form or which otherwise include all the limitations of the allowed generic claims. The foregoing election is made with the understanding that the Examiner and the U.S. Patent and Trademark Office are now bound to the finding of non-obviousness between the combination and subcombination.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 341148018US from which the undersigned is authorized to draw.

Dated: May 26, 2009

Respectfully submitted,

By _____

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